



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

JUL 3 0 2015

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Richard Deady, President
South Shore Plating Company Inc.
28 Forest Avenue
Quincy, Massachusetts 02169

RE: Clean Air Act Notice of Violation

Dear Mr. Deady:

The United States Environmental Protection Agency ("EPA") is issuing the enclosed Notice of Violation ("NOV") to South Shore Plating Company Inc. ("South Shore Plating"), located at 28 Forest Avenue in Quincy, Massachusetts, for violations of the Clean Air Act.

Specifically, EPA has determined that South Shore Plating has violated the National Emissions Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks found at 40 CFR Part 63, Subpart N.

If you have any questions regarding the enclosed NOV, or wish to have an opportunity to confer with EPA, please contact Darren Fortescue, Environmental Engineer, at (617) 918-1162, or have your attorney call Thomas T. Olivier, Senior Enforcement Counsel at (617) 918-1737.

Sincerely,

A handwritten signature in cursive script that reads "Susan Studlien".

Susan Studlien, Director
Office of Environmental Stewardship

cc: David LaPusata, MassDEP, NERO

Enclosure: NOV

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I – NEW ENGLAND**

IN THE MATTER OF

South Shore Plating Company Inc.
28 Forest Avenue,
Quincy Massachusetts, 02169

Proceeding under Section
113 of the Clean Air Act

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NOTICE OF VIOLATION

STATUTORY AUTHORITY

1. The United States Environmental Protection Agency, Region I (“EPA”) issues this Notice of Violation (“NOV”) to South Shore Plating Company Inc. (“South Shore Plating”) for violations of the Clean Air Act (“CAA” or “the Act”), 42 U.S.C. § 7401 et. seq., at its facility located on 28 Forest Avenue in Quincy, Massachusetts. The NOV describes EPA’s findings that South Shore Plating has violated the Act.
2. Specifically, South Shore Plating violated the National Emissions Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks found at 40 CFR Part 63, Subpart N (“Subpart N”).

BACKGROUND AND FACTUAL BASES

3. South Shore Plating operates a hard chromium electroplating tank, installed prior to February 8, 2012, at its Forest Avenue facility (“Facility”).
4. According to 40 CFR §63.340(a), affected sources to which the provisions of

Subpart N apply include hard chromium electroplating tanks.

5. Therefore the hard chromium electroplating tank operated by South Shore Plating at the Facility is an affected source to which the provisions of Subpart N apply.
6. Chromium emissions from the hard chromium electroplating tank operated at the Facility are treated by a composite mesh pad system, before being emitted to the atmosphere.
7. Owners or operators of an affected source subject to the requirements of Subpart N, are required to conduct an initial performance test. See 40 CFR §63.343(b)(1) .
8. Owners or operators of an affected source subject to the requirements Subpart N, using a composite mesh pad system to control emissions, must establish a site specific operating parameter of pressure drop across the system during the initial performance test. See 40 CFR §63.343(c)(1)(i).
9. On September 19, 1997, South Shore Plating produced a test report describing the results for the initial performance test, conducted on August 20, 1997, of the hard chromium electroplating tank and composite mesh pad system operated by the Facility.
10. The site specific operating parameter of pressure drop across the mesh pad system established during this performance testing, as measured by a Magnehelic pressure gauge, was determined to be 2.3 to 2.4 inches of water.
11. On January 13, 2015, an EPA inspector performed an inspection at the Facility.
12. At the time of the inspection, the EPA inspector noted that the Magnehelic pressure gauge read 5.8 inches of water.
13. At the time of the inspection, the Facility was unable to provide records

documenting the pressure drop across the composite mesh pad system for each day that the hard chromium electroplating tank had been operated.

14. At the time of the inspection, the Facility was unable to provide an operation and maintenance plan for the affected source, add on air pollution control device and process and control system monitoring equipment.

15. At the time of the inspection, the Facility was unable to provide records of:

- a. Inspections of the add-on air pollution control device and monitoring equipment;
- b. All maintenance performed on the affected source, the add-on air pollution control device, and monitoring equipment;
- c. The occurrence, duration, and cause (if known) of each malfunction of process, add-on air pollution control, and monitoring equipment;
- d. Actions taken during periods of malfunction to minimize emissions, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation; and
- e. The total process operating time of the affected source during the reporting period.

NOTICE OF VIOLATION

16. South Shore Plating has failed to maintain the pressure drop across the composite mesh pad system, operated at the Facility, within 2 inches of water column of the site specific operating parameter value, established during the initial performance test, as

required by 40 CFR §63.343(c)(1)(ii).

17. Accordingly, South Shore Plating has violated 40 CFR §63.343(c)(1)(ii).

18. South Shore Plating has failed to monitor and record the pressure drop across the composite mesh pad system once each day that an affected source was operated, as required by 40 CFR §63.343(c)(1)(ii).

19. Accordingly, South Shore Plating has violated 40 CFR §63.343(c)(1)(ii).

20. South Shore Plating has failed to prepare an operation and maintenance plan, as required by 40 CFR §63.342(f)(3).

21. Accordingly, South Shore Plating has violated 40 CFR §63.342(f)(3).

22. South Shore Plating has failed to maintain the following records required by 40 CFR §63.346(b)(3): Specifically, South Shore Plating has failed to maintain:

- a. Inspection records for the add-on air pollution control device and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of 40 CFR §63.342(f) and Table 1 of 40 CFR §63.342 had taken place;
- b. Records of all maintenance performed on the affected source, the add-on air pollution control device, and monitoring equipment, except routine housekeeping practices;
- c. Records of the occurrence, duration, and cause (if known) of each malfunction of process, add-on air pollution control, and monitoring equipment;
- d. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR §63.342(a)(1), including corrective actions to

restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation;

e. Other records, which may take the form of checklists, necessary to demonstrate consistency with the provisions of an operation and maintenance plan required by 40 CFR §63.342(f)(3);

f. Records of monitoring data required by §63.343(c) that are used to demonstrate compliance with the standard including the date and time the data are collected;

g. The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during malfunction of the process, add-on air pollution control, or monitoring equipment;

h. The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during periods other than malfunction of the process, add-on air pollution control, or monitoring equipment; and

i. The total process operating time of the affected source during the reporting period.

23. Accordingly, South Shore Plating has violated §63.346(b)(3).

ENFORCEMENT

24. EPA may take any or all of the following actions: (a) issue an order requiring

compliance with the Act; (b) issue an administrative penalty order; or (c) bring a civil action in federal district court for an injunction and/or monetary penalties up to \$37,500 per day for each violation. See Sections 113(a), (b) and (d) of the Act, 42 U.S.C. §§ 7413(a), (b) and (d), and 40 C.F.R. Part 19 as amended by 73 Fed. Reg. 75340-46 (Dec. 11, 2008) (Clean Air Act judicial and administrative penalties raised from \$25,000 to \$37,500 effective January 12, 2009).

25. If South Shore Plating has knowingly violated the requirements of the Act, South Shore Plating and its responsible corporate officers may be subject to criminal penalties under Title 18 of the United States Code, imprisonment for not more than five years, or both. See Section 113(c) of the Act, 42 U.S.C. § 7413(c).

26. Be advised that issuance of this NOV does not preclude EPA from electing to pursue any other remedies or sanctions authorized by law that are available to address these violations.

OPPORTUNITY TO CONFER

27. If South Shore Plating has any questions regarding this NOV, please contact environmental engineer Darren Fortescue at (617) 918-1164, or have your legal counsel contact Thomas T. Olivier, Senior Enforcement Counsel, at (617) 918-1737. South Shore Plating may request an opportunity to confer with EPA by contacting Mr. Fortescue or Mr. Olivier at the phone numbers listed above.

EFFECTIVE DATE AND APPLICABILITY

28. This NOV is effective as of the date signed below and applies to South Shore Plating and its officers, agents, servants, employees, successors, and assigns, and to all persons, firms, and corporations acting under, through, or for South Shore Plating.
29. This NOV is not subject to Office of Management and Budget review under the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

Susan Studlien
Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
Region I – New England

07/28/15
Date